

9-16-07

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Karen UHLMANN et al

Appln. No.: 10/823,784

Filed: April 14, 2004

For: METHOD OF DETECTING  
EPIGENETIC BIOMARKERS.....

Confirmation No. 4952

Examiner: Amanda M. Shaw

Art Unit: 1634

ATTY. DKT: 3035-101

REQUEST FOR REFUND

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants have conducted a small entity investigation as reflected in the small entity status statement submitted herewith. This small entity statement states that the small entity status existed at least as early as May 14, 2007. Accordingly, applicants herewith request a refund for fees paid on May 14, 2007 in accordance with 37 CFR 1.28(a).

Applicants respectfully requests a refund of the fee paid in excess, which the undersigned believes to be \$955.00, is deposited in undersign's deposit account 50-3135.

07/20/2007 HGBREH1 00000002 10023784

Respectfully submitted, 01 FC:2801 395.00 OP  
02 FC:2253 510.00 OP  
03 FC:2202 50.00 OP

By /Joyce v. Natzmer/  
Joyce von Natzmer  
Registration No. 48,120  
Customer No. 46002  
Telephone: (301) 657-1282

July 13, 2007

Appl. No. 10/823,784

Adjusted date: 07/23/2007 HGBREH1  
05/15/2007 INTERSU 00000019 10023784  
01 FC:1202 -103.00 OP  
02 FC:1253 -1020.00 OP  
03 FC:1001 -792.00 OP

**SMALL ENTITY STATUS STATEMENT  
UNDER 37 C.F.R. § 1.27(a)  
FOR NON PROFIT ORGANIZATION**

Applicant: Uhlmann et al.

Serial Number: 10/823,784

Filed: April 14, 2004

**TITLE: METHOD OF DETECTING EPIGENETIC BIOMARKERS.....**

I hereby declare that, on information and belief, the Max-Delbrück Centrum für molekulare Medizin (MDC), assignee of the full title of this invention, qualifies as a nonprofit organization as defined in 37 CFR § 1.27(a)(3)(D) for purposes of paying reduced fees under 35 U.S.C. §§ 41(a) and (b) to the United States Patent and Trademark Office.

On information and belief, the MDC has not assigned, granted, conveyed or licensed and is under no obligation under contract or law to assign, grant, convey or license, any rights in the above invention, application serial no. 10/823,784, filed April 14, 2004, to any person who could not be classified as an independent inventor under 37 CFR § 1.27(a)(1) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR § 1.27(a)(2) or as a nonprofit organization under 37 CFR § 1.27(a)(3).

The MDC has acknowledged the duty to conduct a new determination of entitlement to small entity status when issue and maintenance fees are due (37 CFR § 1.27(g)(1)). The MDC further acknowledged the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR § 1.27(g)(2)).

On information and belief, the facts set forth above existed at least as early as May 14, 2007.

All statements made herein of my own knowledge are true. All statements made on information and belief are believed to be true. These statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of this application, of any patent issued thereon and of any other patent to which this verified statement is directed.

The Commissioner is authorized to charge any deficiencies in fees to avoid abandonment of this national stage application and overpayments to deposit account number 50-3135.

Respectfully submitted,

By /Joyce v. Natzmer/  
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Registration No. 48,120  
Customer No. 46002  
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July 13, 2007